

Written Testimony of Jon Bennion, representing the Montana Chamber
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HB 340

This bill designed to elevate guns above the rights of property owners and businesses to control their private property and set the terms and conditions of work. In a nutshell, the bill is unnecessary, overly burdensome on small business, and dangerous for workplaces in Montana.

A supermajority of states that reviewed this legislation rejected it. If a law passed to prohibit an employer from disallowing guns in the workplace, the law would infringe on employers' property rights — endangering all employees and creating a situation in which a potentially violent worker who gets upset could have easy access to a firearm.

On the other hand, if the employer chooses to continue a ban on firearms, Section 9 of the bill would require the employer to "provide a level of security and safety for the employee equal to that which the employee could have provided without the prohibition." This language is very unclear about what an employer must do to adequately protect their employees from workplace violence. It would also subject employers to new kinds of lawsuits.

Most employers in Montana do not even have a policy on guns in the workplace. If HB 340 passes, employers who haven't taken a stand regarding guns on the job will be forced to choose sides. It will be a decision plagued with negative consequences either way. Employers will either have to worry about the introduction of firearms to their workplace, or face a determination of how they can meet the vague safety requirements set forth in the bill.

HB 340 is a new government regulation on the business community. The small businesses of our state have the most to lose if this bill is passed. The Montana Chamber of Commerce urges the House Judiciary Committee to table the bill.